



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/337,500	06/22/1999	TOMOHISA YAMAGUCHI	2565-0175P	9078

7590 12/03/2003

Birch Stewart Kolasch & Birch
Post Office Box 747
Falls Church, VA 22040-0747

EXAMINER

NGUYEN, THU HA T

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/337,500

Applicant(s)

YAMAGUCHI, TOMOHISA

Examiner

Thu Ha T. Nguyen

Art Unit

2155

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED on 11/14/2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: Please see attachment.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: none.

Claim(s) objected to: none.

Claim(s) rejected: 1-16.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


HOSAIN ALAM

ADVISORY PATENT EXAMINER

Attachment to Advisory action

1. Applicant's arguments and amendment filed on November 14, 2003 have been fully considered but they are not persuasive because of the following reason:
2. Applicant amended independent claims 15 and 18 by adding the limitations of dependent claims 17 and 19 and argues that Domenikos does not teach or suggest the external resource is located remotely on said network from said execution device. In response to Applicant's argument, examiner asserts that Domenikos does teach the external resource is located remotely on said network from said execution device as shown in figures 1-4, col. 8 lines 25-28.
3. Therefore, the examiner asserts that cited prior art teaches or suggests the subject matter broadly recited in independent claims 1, 11, 15, and 18. Claims 2-10, 12-14, 16, and 20 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in the previous office action [see paper no. 16]. Accordingly, claims 1-16, 18, and 20 are not persuasive.
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen whose telephone number is 703-305-7447. The examiner can normally be reached on Mon-Fri (8:30am-5:00pm). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 703-308-6662.

The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications.

Any inquiry of a general nature or relating to the status of this application or


* Application/Control Number: 09/337,500
Art Unit: 2155

Page 3

proceeding should be directed to the receptionist whose telephone number is
703-305-3900.

Thu Ha Nguyen

December 1, 2003


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER